

COURT

Northern District, Western Division

FILED

Rodney A. GEREN, Pro SE
plaintiff

v.s.

Paul A. Dobson

Gwin Howes-Gebbers

DET. Rod Smith, Wood County Sheriff
Police Chief Fairbanks, Risingsun, OH
Kurt W. Bradley, Esq.

CASE NO:

2015 DEC 11 PM 12:03

Judge

CLERK U.S. DISTRICT COURT
NORTHERN DISTRICT OF OHIO
TOLEDO

3:15 CV 2561

COMPLAINT
JURY TRIAL DEMANDED

JUDGE HELMICK

This is a civil rights action filed by Rodney A. GEREN, Pro SE, currently a state prisoner, for damages and monetary relief under 42 U.S.C. § 1983 alleging made to answer to an infamous crime without the benefit of his 5th and 14th Amendment rights of Due Process. Also made to answer to these heinous charges without proper legal counsel appointed in violation of my 6th Amendment rights to proper counsel and to confront witness all without being properly charged with the heinous crimes in accordance with State and Federal laws and/or rules.

Furthermore; An unlawful search and seizure upon my home in violations of my 4th and 5th Amendments prohibiting such unlawful acts by State and Federal Police. Furthermore; for all intents and purposes I was arrested for this uncharged crime, held without bail and made to answer this heinous, uncharged crime. All in violation of my 8th and 4th Amendment rights.

Complaint (cont.)
Jury Trial Demanded

Parties in this Action:

1. The plaintiff, Rodney A. GEREN was incarcerated at the Wood Co. Jail during the events described.
2. Paul A. Dobson, Prosecuting Attorney For Wood County, Ohio acting in respondent superior in this action. He is sued in his official capacity for failing to stop the unlawful acts. \$250,000.00
3. Gwen Howz-Gebbers is the Chief Asst. Prosecutor for Wood Co. And is the State Attorney responsible for attempting a flagrantly illegal act of holding me accountable for an uncharged heinous crime. Also allowing others to go uncharged for crimes committed against me. Furthermore; Aiding the State in a VINDICTIVE MANNER against me. She is being sued both personally and in her official capacity for \$250,000.00 for each for a total of \$500,000.00.
4. Detective Rod Smith of the Wood Co. Sheriff's office. He unlawfully entered my home without warrant on overwhelming need and seized property without warrant. Allowed another to commit crimes and did not do his due diligence at verifying the witnessses claims. And once he learned of the witnessses lies and deception, nothing was or is being done. He is being sued both personally and professionally for \$250,000.00

Complaint (cont.)
Jury Trial Demanded

5. Rising Sun Police Chief Fairbanks knowingly allowed witnesses on lawful transgressions and theft of property from the Estate of Jacque Fields and myself. The Wood Co. Probate Judge Woessner had earlier issued an order to the Rising Sun Police due to thefts by my estranged brother Robert L. GENEVIEVE. He is being sued both personally and in his official capacity for \$250,000.00 for each for a total of \$500,000.00.

6. Former Attorney Kurt W. Brudarly, who was assigned as counsel in 13-CR-402, 13-CR-452 in Wood Co., is being sued for aiding and abetting this illegal act and giving the State Attorney confidential communications to further aid the unlawful claim. He can not claim ignorance nor can he claim he had a legal right to advise me "I didn't stand a chance". He was not appointed in the uncharged heinous crime and to date the charge still remains uncharged. He is being sued in his official and personal capacity at \$250,000.00 each for a total of \$500,000.00. I also seek his disbarment from legal practice.

I ask leave to Amend or Modify these demands as this case moves forward.

STATEMENT OF EVENTS

While awaiting sentencing at the Wood Co. Jail in case(s) only related to this matter by the fact(s) a SEARCH WARRANT was issued and executed in July of 2013 on the property in this action and the fact I had been in that jail for all of the 9 months leading up to this event, the State claims Officer Fairbanks was called to my lawful home where Dawn A. Minnick, estranged sister and estranged daughter to Jacqueline Fields (deceased), claimed she had found child porn while at that house doing inventory and cleaning for the Estate. [THE State will not disclose the date nor will they prosecute her since she did in fact lie. Also the fact a month or so earlier the Rising Sun Police was issued an order to not allow people in the home I lawfully resided in.] The order from the Probate Court was due to thefts by my brother, Robert L. GEREN II. [PLEASE NOTE Dawn Minnick was NOT in our mother's Will and she knew 100% she had zero legal rights to anything of the Estate or execution duties as she claimed.]

But as stated at the time of my ARREST, the WARRANT issued clearly stated to search for documents and such. None were found. The police claimed they weren't looking then, but I have pictures showing them looking at where it was claimed the pictures were found by Dawn Minnick.

STATEMENT of EVENTS

I will spare this Court the very obvious legal challenges as to this EVENT.

At the time of this EVENT, I had already entered a plea agreement on Jan. 14, 2014 on the Wood Co. CASE(s) -13-CR-402/452. Part of that deal was that no new charges were pending and that the minor matters in Toledo Municipal and Fosteria Municipal were to be concluded before I was sent to prison on a 2 yr. SENTENCE. I was to be sentenced on March 10, 2014.

On March 9, 2014 at 9:30 am, my Attorney Kurt W. Bredtally came to the jail and told me sentencing was off. Told me a very vague ideas of the events at my home as to Dawn Minich and the Allegations. Told me I should plead out to 6 yrs on the Allegations yet he hadn't seen a shred of evidence. Ignored all my due process rights. Would not hear my claims of NOT Guilty or any exculpatory claims of INNOCENCE.

After he left, I wrote him a very scathing letter and demanded he RESIGN and withdraw my PLEA. He wrote back on March 29, 2014 and told me I had ZERO CHANCE of winning and the evidence is so over whelming I'd get a life SENTENCE if I didn't listen to him. Let's not forget I wasn't even charged and to this date still not charged. This Attorney conduct is very Disturbing !!

STATEMENT of EVENTS

In April Mr. Brudely was taken off the case and a Lawrence Gold was appointed. It was the same as Kurt W. Brudely, no changes yet I'm stupid to not take the "deal." I do wish to RESERVE the right to maybe add Mr. Gold at a later date.

During my preparation for Appeals in 13-CR-402-452, Mr. Brudely withheld my case file, more importantly the letters I wrote to him in which I provided exculpatory evidence. He claims Mr. Gold has it. Mr. Gold knows nothing about it.

But in preparing this action, I reviewed the trial transcripts and noticed the State move away from the position of Dawn Munich finding the pictures, to a position of found on my computer. [A computer they took at the start of the Wood Co. case(s)] this shift in position came at the same time I wrote Mr. Brudely and/or stated my position(s). Very similar to this actions position. I firmly believe Kurt W. Brudely did in fact aid the State in its illegal attempt to frame me for a heinous crime with illegal evidence. [NOTE: I do have 100% proof it's not the first time Wood Co. has acted in a Vindictive manner and forced illegal acts upon me.]

CONCLUSION

Once this Court hears every detail of the illegal act(s) in this action, the Court will be shocked and AMAZED as to how action so blatantly illegal have been allow to prevail to this point.

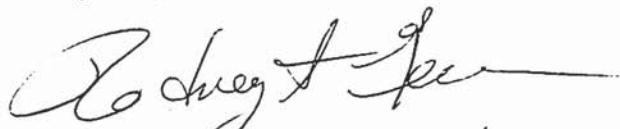
Just how much disregard and deliberate indifference as to my Rights both under Ohio State and U.S. Law is just staggering. The sheer vindictive and just out right mean acts I've been forced to endure. Acts since Dec. 2004!

IF there was EVER a CASE that demanded this Court to hold THESE defendants in contempt and instigate a criminal investigation, I just can't SEE it.

The actions are 100% despicable and should be stopped forever.

I pray this Court ~~hears~~ has me. This has got to stop!! No Law enforcement bodies/agents should be allowed a pass on these heinous acts.

Submitted



Rodney A. GEREN #705-934
CACCII, P.O. Box 1812
MARIION, OH 43302

LIST OF DEFENDANTS

PAUL A. DABSON
Wood County Prosecutor
ONE Courthouse Sq., 4th Fl.
Bowling Green, Ohio 43402

Gwen Howe-Gebbees
Chief Asst. Wood Co. Prosecutor
ONE Courthouse Sq., 4th fl.
Bowling Green, Ohio 43402

Detective Rod Smith (Badge #19322)
Wood Co. Sheriff's Office
1960 East Gypsy Ln. Rd.
Bowling Green, Ohio 43402

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